

O'TOOLE SCRIVO

A LIMITED LIABILITY COMPANY

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April 15, 2024

Via CM/ECF

Hon. Andre M. Espinosa, U.S.M.J.
United States District Court, District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, Courtroom MLK 2D
Newark, New Jersey 07101

ORDER

Re: *New Wallington Home, LLC, et al. v. Borough of Wallington, et al.*
Civil Case No.: 20-08178 (CCC) (AME)

Dear Judge Espinosa:

This firm represents plaintiffs in this matter. This matter was previously placed on administrative termination by Judge Kiel as the parties finalized a potential settlement. On February 2, 2024, the undersigned wrote to inform the Court of a likely partial settlement of the Tax Issues in the Complaint, pending final approval from the Borough Council at a February 22, 2024 public meeting. We were informed that the vote to approve never occurred, and was re-scheduled for April 11, 2024.

On April 3, 2024, prior to Your Honor's assignment to this matter, the undersigned expressed concern about the settlement being approved on April 11, 2024, and sought appointment of a new Magistrate Judge and requested a status conference to discuss re-opening this matter. As expected, the Borough of Wallington did not hold a vote to approve the settlement. Accordingly, plaintiffs respectfully request a status conference to discuss continuation of discovery.

Thank you in advance for your consideration.

Respectfully submitted,

/s/ James DiGiulio
James DiGiulio

The Court will hold a telephonic status conference on May 10, 2024, at 11:00 a.m., to be joined by dialing 973-437-5535, access code 979 957 968#. The parties are directed to meet and confer to attempt to resolve the identified issues. At least three business days before the conference, the parties shall file a joint status letter.

SO ORDERED on this 17th day of April, 2024.

/s/ André M. Espinosa
ANDRÉ M. ESPINOSA
United States Magistrate Judge